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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/807,686

03/24/2004

Sandeep Relan

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EXAMINER

LY, ANH VU H

ART UNIT

PAPER NUMBER

2616

MAIL DATE

DELIVERY MODE

07/20/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/807,686

Applicant(s)

RELAN ET AL.

Examiner

Anh-Vu H. Ly

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,6,7,13,16,17,23 and 24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1 and 6 is/are allowed.
- 6) ☒ Claim(s) 16 and 17 is/are rejected.
- 7) ☒ Claim(s) 7,13,16,17,23 and 24 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 7, 13, 16, 17, 23, and 24 are objected to because of the following informalities:

With respect to claim 7, in lines 2-4, replace "said computer readable medium storing a plurality of executable instructions, said executable instructions for" with --said computer readable medium encoded with a plurality of executable instructions to be executed by a computer for performing--. In lines 5-6, replace "the computer network" with --a computer network--. Further, a period should be inserted at the end of the claim.

With respect to claim 16, in lines 2-3, replace "communication network" with --communication system--.

With respect to claims 23 and 24, "--" should not be used before claim number "23" and after "cellular telephone" recited in lines 2-3 of claim 24 as long as the status identifiers indicate "New".

Claims 13 and 17 are objected for the reasons as set forth in objected independent claims 7 and 16. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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2. Claims 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roesse et al (US 2003/0217122 A1) in view of Magbie et al (US Patent No. 6,657,535 B1). Hereinafter, referred to as Roesse and Magbie.

With respect to claim 16, Roesse discloses a communication system for granting access to a computer network (Fig. 1), said communication system comprising:

a server for receiving a request for access to the computer network from a client terminal (Fig. 1, location server 134 receives a request for access to the computer network 100 from user device 104b via network entry device 114b. Herein, network entry device 114b is the client terminal).

a wireless network for determining at least in part a location of a mobile terminal (page 1, 8<sup>th</sup> paragraph, absolute location information may be obtained using known geographical identifiers in a coordinate system, such as latitude and longitude, dead reckoning, GPS systems affixed to or proximate to the device to be located), said mobile terminal providing a password (page 13, 102<sup>nd</sup> paragraph, the system requires the end user at a location client device to supply certain user information including but not limited to, a name and one or more passwords) and being separate from the client terminal (Fig. 1, user device 104b is separate from network entry device 114b), wherein said wireless network further comprises a global positioning system (page 1, 8<sup>th</sup> paragraph, GPS systems); and

wherein the server granting access to the computer network is dependent on the location of the mobile terminal (Fig. 4, steps 430 and 435).

Roesse does not disclose that the password is time varying password. Magbie discloses a time varying algorithm which changes password, say once every sixty seconds, is used to enhance

security. It would have been obvious to one having ordinary skilled in the art at the time the invention was made to use time varying passwords in Roese's system, a suggested by Magbie, to further enhance security.

With respect to claim 17, Roese discloses that wherein the server grants access to the computer network if the mobile terminal is within a particular location (Fig. 4, step 435) and wherein the server denies access to the computer network if the mobile terminal is outside the particular location (Fig. 4, step 440).

#### ***Allowable Subject Matter***

3. Claims 1 and 6 are allowed. Claims 7, 13, 23 and 24 contain the allowable subject matter but objected to for minor informalities.

The following is a statement of reasons for the indication of allowable subject matter: The prior art does not teach or fairly suggest granting access to the computer network, if the mobile terminal is within the predetermined location and if the time varying password provided by the mobile terminal is received within a particular time interval from the client terminal, as specified in independent claims 1 and 7.

#### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1, 6-7, 13, 16-17, and 23-24 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Roose et al (US Patent No. 7,092,943 B2) discloses location based data.

Von Hoffmann (US 2005/0151623 A1) discloses PDA security system.

Serpa (US Patent No. 6,954,862 B2) discloses system and method for user authentication with enhanced passwords.

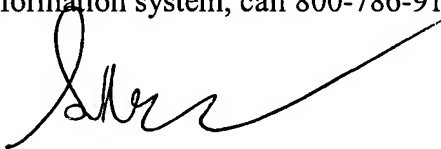
MacDoran et al (US Patent No. 5,757,916) discloses method and apparatus for authenticating the location of remote users of networked computing systems.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh-Vu H. Ly whose telephone number is 571-272-3175. The examiner can normally be reached on Monday-Friday 7:00am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on 571-272-3179. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to be 'Jher' or similar, with a long horizontal stroke extending to the right.

avl